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FEDERAL TRADE COMMISSION

Revised Jurisdictional Thresholds for Section 7A of The Clayton Act

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: The Federal Trade Commission announces the revised thresholds for the Hart-Scott-Rodino Antitrust Improvements Act of 1976 required by the 2000 amendment of Section 7A of the Clayton Act.

DATES: *Effective date:* [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Robert Jones, Federal Trade Commission, Bureau of Competition, Premerger Notification Office, 400 7th Street, S.W., Room #5301, Washington, DC 20024, Phone (202) 326-3100.

SUPPLEMENTARY INFORMATION:

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by the Hart-Scott-Rodino Antitrust Improvements Act of 1976, Pub. L. 94-435, 90 Stat. 1390 ("the Act"), requires all persons contemplating certain mergers or acquisitions, which meet or exceed the jurisdictional thresholds in the Act, to file notification with the Commission and the Assistant Attorney General and to wait a designated period of time before consummating such transactions. Section 7A(a)(2) requires the Federal Trade Commission to revise those thresholds annually, based on the change in gross national product, in accordance with Section 8(a)(5). Note that while the filing fee thresholds are revised annually, the actual filing fees are not similarly indexed and, as a result, have not been adjusted for inflation in over a decade. The new thresholds, which take effect 30 days after publication in the Federal Register, are as follows:

SUBSECTION OF 7A	ORIGINAL THRESHOLD	ADJUSTED THRESHOLD
7A(a)(2)(A)	\$200 million	\$323 million
7A(a)(2)(B)(i)	\$50 million	\$80.8 million
7A(a)(2)(B)(i)	\$200 million	\$323 million
7A(a)(2)(B)(ii)(i)	\$10 million	\$16.2 million
7A(a)(2)(B)(ii)(i)	\$100 million	\$161.5 million
7A(a)(2)(B)(ii)(II)	\$10 million	\$16.2 million
7A(a)(2)(B)(ii)(II)	\$100 million	\$161.5 million
7A(a)(2)(B)(ii)(III)	\$100 million	\$161.5 million
7A(a)(2)(B)(ii)(III)	\$10 million	\$16.2 million
Section 7A note: Assessment and Collection of Filing Fees ¹ (3)(b)(1)	\$100 million	\$161.5 million
Section 7A note: Assessment and Collection of Filing Fees (3)(b)(2)	\$100 million	\$161.5 million
Section 7A note: Assessment and Collection of Filing Fees (3)(b)(2)	\$500 million	\$807.5 million
Section 7A note: Assessment and Collection of Filing Fees (3)(b)(3)	\$500 million	\$807.5 million

¹ Pub. L 106-553, Sec. 630(b) amended Sec. 18a note.

Any reference to these thresholds and related thresholds and limitation values in the HSR rules (16 CFR Parts 801-803) and the Antitrust Improvements Act Notification and Report Form ("the HSR Form") and its Instructions will also be adjusted, where indicated by the term "(as adjusted)", as follows:

ORIGINAL THRESHOLD	ADJUSTED THRESHOLD
\$10 million	\$16.2 million
\$50 million	\$80.8 million
\$100 million	\$161.5 million
\$110 million	\$177.7 million
\$200 million	\$323 million
\$500 million	\$807.5 million
\$1 billion	\$1,615 million

By direction of the Commission.

Donald S. Clark
Secretary.